

PATENT COOPERATION TREATY

PCT/JP2003/016741



PCT

 INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
 (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference SFTI0026	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/JP2003/016741	International filing date (day/month/year) 25 December 2003 (25.12.2003)	Priority date (day/month/year)
International Patent Classification (IPC) or national classification and IPC A41D 13/00		
Applicant SEFT DEVELOPMENT LABORATORY CO.,LTD.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.	
3. This report is also accompanied by ANNEXES, comprising:	
a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:	
<input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).	
<input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.	
b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4. This report contains indications relating to the following items:	
<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input checked="" type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand 27 January 2004 (27.01.2004)	Date of completion of this report 26 May 2004 (26.05.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/016741

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:

- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☒ The international application as originally filed/furnished

☐ the description:

pages _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the claims:

pages _____, as originally filed/furnished

pages* _____, as amended (together with any statement) under Article 19

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the drawings:

pages _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-57	YES
	Claims		NO
Inventive step (IS)	Claims	16-19, 28	YES
	Claims	1-15, 20-27, 29-57	NO
Industrial applicability (IA)	Claims	1-57	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document 1: JP, 2001-40512, A (Seft Development Laboratory Co., Ltd.), 13 February, 2001 (13.02.01)
 Document 2: JP, 2002-201507, A (Canon Inc.), 19 July, 2002 (19.07.02)
 Document 3: JP, 63-159505, A (NEC Corp.), 2 July, 1988 (02.07.88)
 Document 4: JP, 2003-230178, A (Sony Corp.), 15 August, 2003 (15.08.03)

The subject matters of claims 1-15, 20, 22, 24-27, 29-35, 38-48 and 50-57 do not appear to involve an inventive step in view of document 1 cited in the ISR. Document 1 discloses a cool garment comprising a mesh-section 22a, spacers 22c, a suction hole 22b, a fan 23 and a power supply for driving the fan 23. Furthermore, document 1 also discloses a constitution in which a dehumidifying section 50 is installed. Moreover, the flow rate of the fan and the air conditioning capacity are mere matters that a person skilled in the art could have decided as required, considering the air conditioning effect, etc. Meanwhile, processing the respective sections of a garment to be water-proof or water-repellent is a merely well-known technique.

The subject matters of claims 21, 23 and 36 do not appear to involve an inventive step in view of document 1 and document 2 newly cited in the IPER. Document 2 discloses a constitution in which closing portions 7, 8 and 9 are formed near exhaust portions. Furthermore, a person skilled in the art could have easily applied the technique concerning the closing means disclosed in document 2 to the hem portions of the cool garment disclosed in document 1.

The subject matter of claim 37 does not appear to involve an inventive step in view of document 1 and document 3 newly cited in the IPER. Document 3 discloses a technique in which a PVC pipe is installed near the waist portion.

The subject matter of claim 49 does not appear to involve an inventive step in view of document 1 and document 4 cited in the ISR. Document 4 discloses a system in which data is acquired through the internet.

The subject matters of claims 16-19 and 28 are neither described in documents 1-4 nor could have been easily conceived of from these documents.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The "Magic Tape" stated, for example, on page 22, line 29, page 23, lines 14-15, page 24, lines 11-21, page 29, line 20 to page 30, line 1 and claim 19 of the specification is a registered trademark. It is desirable that the term is corrected to read "a face fastener" or other general term.

Claim 20 quotes claims 1-6, but claims 1-6 do not include any description concerning the opening and closing means for opening and closing the front of an air guide means.